

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**  
*Philadelphia Division*

IN RE: LINDA MARIE PATTON F/K/A LINDA MARIE BALL A/K/A LINDA B PATTON	Case No. 23-10105-amc
Nationstar Mortgage LLC,  Movant  vs.  LINDA MARIE PATTON F/K/A LINDA MARIE BALL A/K/A LINDA B PATTON, Debtor	Chapter 13

**OBJECTION TO CONFIRMATION  
OF DEBTOR'S CHAPTER 13 PLAN**

Nationstar Mortgage LLC ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 2), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on January 15, 2023.

2. Movant holds a security interest in the Debtor's real property located at 121 Davis Rd, Malvern, PA 19355 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 10484180 in Official Records of Chester County, Pennsylvania. Said Mortgage secures a Note in the amount of \$333,700.00.

3. The Debtor filed a Chapter 13 Plan (the "Plan") on January 15, 2023 (Doc 2).

4. The Plan calls for the sale of the property commonly known as 121 Davis Rd, Malvern, PA 19355. Movant holds a secured lien on this property.

5. The Plan lists the Property in Section 7(c) Sale of Real Property. Plan states that

the property will be sold within 7 months of bankruptcy filing, however, Debtor also states that if financial circumstances change for debtor or spouse, then the property may not be sold. Movant Objects to the confirmation of the Plan with this conflicting language.

6. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due to Movant is \$48,087.11

7. Movant objects to Debtor's proposed Chapter 13 Plan as Part 4(a) that Movant will not receive any distribution from the Chapter 13 Trustee on its proof of claim.

**WHEREFORE,** Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matt Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection To Confirmation Of Debtor's Chapter 13 Plan has been electronically served or mailed, postage prepaid on this day to the following:

LINDA MARIE PATTON  
121 DAVIS ROAD  
MALVERN, PA 19355

DAVID OFFEN, Debtor's Attorney  
601 WALNUT STREET SUITE 160 W  
PHILADELPHIA, PA 19106

KENNETH E. WEST, Bankruptcy Trustee  
1234 Market Street  
Suite 1813  
Philadelphia, PA 19107

Office of the U.S. Trustee, US Trustee  
Robert N.C. Nix Federal Building  
Suite 300  
Philadelphia, PA 19107

January 30, 2023

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

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